

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,)
)
v.)
)
PEDRO ANTHONY ROMERO CRUZ,)
JOSE LOPEZ TORRES, JAIME)
ROSALES VILLEGAS, ALVIN GAITAN)
BENITEZ, CHRISTIAN LEMUS CERNA,)
OMAR DEJESUS CASTILLO,)
DOUGLAS DURAN CERRITOS,)
MANUEL ERNESTO PAIZ GUEVARA,)
JOSE DEL CID, JESUS ALEJANDRO)
CHAVEZ, JUAN CARLOS MARQUEZ)
AYALA, ARAELY SANTIAGO)
VILLANUEVA, and GENARO SEN)
GARCIA)
Defendants.)

Case No. 1:14-cr-00306 (GBL)

AMENDED ORDER

THIS MATTER is before the Court on the appointment of counsel for Defendants Pedro Anthony Romero Cruz, Jose Lopez Torres, Jaime Rosales Villegas, Alvin Gaitan Benitez, Christian Lemus Cerna, Omar Dejesus Castillo, Douglas Duran Cerritos, Manuel Ernesto Paiz Guevara, Jose Del Cid, Jesus Alejandro Chavez, Juan Carlos Marquez Ayala, Araely Santiago Villanueva, and Genaro Sen Garcia. It is hereby

ORDERED that counsel for defendants appointed under the Criminal Justice Act submit a proposed budget *ex parte* and **under seal** to the Court by November 17, 2014 at 5:00 p.m. The budget should outline proposed hours, including a breakdown of proposed hours in court, out of court, further broken down by those hours anticipated for trial, pre-death penalty authorization, post-authorization trial budget expenses, and for pleas. The Court intends that these submissions represent a good faith basis by counsel to determine the cost of representation, but is fully aware

that adjustments may become necessary as the investigation progresses, in which case supplemental proposed budgets may be submitted promptly. It is further

ORDERED that Defense counsel's submitted budget include cost for experts, including the proposed cost of any or all of the following types of experts: investigators, mitigation specialists, mental health experts, fact investigators, forensic pathologist, gunshot residue experts, psychologist/neuropsychologist/psychiatrist, future dangerousness experts, bureau of prison expert, crime scene evidence analyst, paralegals, and interpreters; it further

ORDERED that Defense counsel refer to *Wiggins v. Smith*, 539 U.S. 510 (2003) in developing Defendants life history for mitigation purposes; it is further

ORDERED that Defense counsel consider the use of native Spanish speaking law students or attorneys in the preparation of the case; it is further

ORDERED that Defense counsel consult Update on the Cost, Quality, and Availability of Defense Representation in Federal Death Penalty Cases. Preliminary Report by Jon B. Gould and Lisa Greenman, Administrative Office of the United States Court, Office of Defender Services (2010) (28-29) for background information concerning the historical costs and expenses for federal capital defense cases; it is further

ORDERED that Defense counsel consider consulting with Federal Public Defender Michael Nachmanoff and Capital Resource Counsel, Gerry Zerk; it is further

ORDERED that Defense counsel take notice that expenses and interim attorney vouchers may be submitted and paid on a monthly basis, withholding 20% of attorney's fees, as required by the Chief Judge, until the conclusion of the case; it is further

ORDERED that the submitted budget include any and all other expenses defense counsel may deem necessary; and it is further

ORDERED that two (2) courtesy copies of the submission be submitted directly to chambers.

IT IS SO ORDERED.

Entered this 30th day of October, 2014.

Alexandria, Virginia
10/30/14

_____/s/
Gerald Bruce Lee
United States District Judge